IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD

(Special Original Jurisdiction)

THURSDAY, THE EIGHTEENTH DAY OF NOVEMBER
TWO THOUSAND AND FOUR

PRESENT

THE HON'BLE SRI DEVINDER GUPTA,THE CHIEF JUSTICE

and
THE HON'BLE SRI JUSTICE C.V.RAMULU

WRIT PETITION No. 20946 of 2004

Between:

State of Andhra Pradesh, Rep. by the Mandal Revenue Officer,
Musheerabad Mandal, Hyderabad.

..... PETITIONER

AND

1 Hyderabad Potteries Ltd, H.No. 1-1-365, Bakaram, Hyderabad,
Rep. by its Director S. Sunil S/o S. Krishna Rao, aged 48 years,

R/o Hyderabad.
2 S. Ramesh, S/o S. Krishna Rao,
Plot No. 13,P & T Colony, Secunderabad - 09.

.....RESPONDENTS

Petition under Article 226 of the constitution of India praying that in the circumstances stated in the Affidavit filed herein the High Court may be pleased to issue writ of Certiorari calling for the records in I.A.No. 931/2004 in L.G.C. No.11/2002 on the file of the Special Court under A.P. Land Grabbing (Prohibition) Act and to quash and set aside the same and be pleased to issue the consequential direction to the Hon'ble Special Court to call for the records pertaining to Exs. B.3 and B5 from the Office of the District Registrar, Hyderabad and to send them to the State Forensic Laboratory to verify the authenticity of the documents and also verify as to whether the site plans appended to Exs.B.3 and B.5 pertain to the same documents or not and are the same period and age by means of carbon dating or any other established scientific investigation method.

Counsel for the Petitioner: THE ADVOCATE GENERAL

Counsel for the Respondents: Mr.A.K.NARASIMHA RAO

The Court made at the admission stage the following :

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ORAL JUDGMENT: (per **THE HON'BLE THE CHIEF JUSTICE)**

Heard the learned counsel for the parties.

Challenge in the Writ Petition is to the Order passed by the Special Court under the A.P. Land Grabbing (Prohibition) Act,1982, Hyderabad dismissing I.A.Nos.931 and 933 of 2004 filed in L.G.C.No.11 of 2002.

The two applications are only interlocutory applications by which the writ petitioner, who is the petitioner before the Special Court, had prayed to send the registered sale deeds – Exs.B3 and B5 – including the plans attached thereto to the A.P. Forensic Laboratory and to verify whether the site plans and the sale deeds are genuine documents and also to call for the concerned record pertaining to Exs.B3 and B5 from the Office of the District Registrar, Hyderabad.

Two members of the Special Court proceeded to dismiss the applications, whereas the third member passed a dissenting order.

We are informed that L.G.C.No11 of 2002 is at the final stage. The order impugned is in the interlocutory nature. As such, we are not inclined to entertain the writ petition at this stage and proceed to dismiss the same with liberty reserved to the petitioner to challenge the order impugned in the writ petition along with the final order, if passed against the petitioner in the proceedings to be taken out by the petitioner. Needless to add that the Special Court will take up L.G.C.No.11 of 2002

and decide the same in accordance with law, uninfluenced by the observations made in the order impugned in the writ petition.

The Writ Petition is dismissed. No costs.

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DEVINDER GUPTA, C.J.

18-11-2004

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C.V.RAMULU, J

prk

ASSISTANT REGISTRAR

// TRUE COPY //

SECTION OFFICER

To

1. The Mandal Revenue Officer, Musheerabad Mandal, Hyderabad.

2 Hyderabad Potteries Ltd, H.No. 1-1-365, Bakaram, Hyderabad,
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